

ESTTA Tracking number: **ESTTA755275**

Filing date: **06/29/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91220956
Party	Defendant Sanjay Agarwal
Correspondence Address	SANJAY AGARWAL AEGIS VISION LIMITED BOSTON RD, BOUNDARY HOUSE LONDON W7 2QE, UNITED KINGDOM zlatinzlatev@yahoo.com
Submission	Motion to Amend Application
Filer's Name	Sanjay Agarwal
Filer's e-mail	zlatinzlatev@yahoo.com
Signature	/Sanjay Agarwal/
Date	06/29/2016
Attachments	Stipulated Motion to Amend Application.pdf(387259 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

UNIQUE PHOTO, INC.	:	
	:	Serial No. 79/153,014
	:	
Opposer,	:	
v.	:	Filed: May 13, 2014
	:	
SANJAY AGARWAL,	:	For: UUNIQUE
	:	
Applicant.	:	Opposition No.: 91220956
	:	
	:	X

STIPULATED MOTION TO AMEND APPLICATION

There is presently pending an Opposition Proceeding No. 91220956 brought by Opposer Unique Photo, Inc. against Applicant Sanjay Agarwal based on Applicant's Application Serial No. 79/153,014 for the mark UUNIQUE.

In accordance with 37 C.F.R. § 2.133 and Trademark Trial and Appeal Board Manual of Procedure Section 514, Applicant respectfully requests that the Trademark Trial and Appeal Board (the "Board") amend the present identification of goods in Serial No. 79/153,014 by deleting from international class 9 the goods red-lined below:

-- Mobile phone cases; ~~camera cases~~; laptop cases, including bags, sleeves and pouches specially adapted for laptops; cases adapted for electronic equipment, namely, cases adapted for electronic diaries and portable media players; mobile phone accessories, namely, lanyards, pendants and charms all specially adapted for mobile phones; hands free kits for mobile phones; battery chargers for mobile phones; headphones; audio speakers; speakers, namely, bass speakers, loud speakers; audio equipment, namely, speakers; car audio speakers; personal stereos; stereo apparatus, namely, stereo tuners; stereo amplifiers; stereos, namely, stereo receivers; computer docking stations; portable music player docking stations; mobile phone docking stations; MP3 player docking stations; mobile radio transmitting apparatus; earphones; sound generation apparatus, namely, portable media players; sound amplification apparatus, namely,

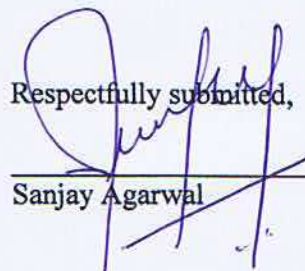
amplifiers; sound reproduction apparatus; sunglasses and sunglasses cases in International Class 9. --

A clean version of the amended identification of goods is as follows:


-- Mobile phone cases; laptop cases, including bags, sleeves and pouches specially adapted for laptops; cases adapted for electronic equipment, namely, cases adapted for electronic diaries and portable media players; mobile phone accessories, namely, lanyards, pendants and charms all specially adapted for mobile phones; hands free kits for mobile phones; battery chargers for mobile phones; headphones; audio speakers; speakers, namely, bass speakers, loud speakers; audio equipment, namely, speakers; car audio speakers; personal stereos; stereo apparatus, namely, stereo tuners; stereo amplifiers; stereos, namely, stereo receivers; computer docking stations; portable music player docking stations; mobile phone docking stations; MP3 player docking stations; mobile radio transmitting apparatus; earphones; sound generation apparatus, namely, portable media players; sound amplification apparatus, namely, amplifiers; sound reproduction apparatus; sunglasses and sunglasses cases in International Class 9. --

This amendment clarifies and limits the present recitation of goods and, therefore, Applicant believes that the amendment is acceptable under 37 C.F.R. § 2.71(a). In accordance with 37 C.F.R. § 2.133, Opposer has consented to this amendment as shown by Opposer's consent below.

Favorable action by the Board in accepting this amendment to the identification of goods is respectfully requested.

Respectfully submitted,

Sanjay Agarwal

Amendment consented to by:

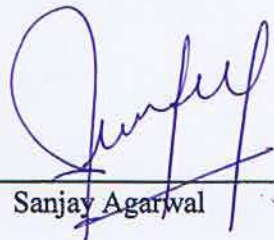

Daniel P. Laine
Counsel for Opposer
Unique Photo, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within STIPULATED MOTION TO AMEND APPLICATION was served upon counsel for Opposer this 29 day of June, 2016, by overnight courier and addressed as follows:

VIA OVERNIGHT COURIER

Attn: Daniel P. Laine
Lerner David Littenberg Krumholz & Mentlik LLP
600 South Avenue West
Westfield, NJ 07090
E-mail: dlaine@lernerdavid.com



Sanjay Agarwal

UPHOTO 10.20-064
Opposition No.: 91220956